

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

FEB 12 2018

Benny M. ANAYA

Name

1P.O. BOX 244 Socorro, NM. 87801

Address

MATTHEW J. DYKMAN
CLERKUNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICOBenny M. Anaya, Plaintiff
(Full Name)CASE NO. 18CV145 GJF
(To be supplied by the Clerk)

v.

, Defendant(s)

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. §1983City of Socorro

A. JURISDICTION

- 1) Benny M. Anaya, is a citizen of N.M.
(Plaintiff) (State)
- who presently resides at 1009 J. VANADA ST.
(Mailing address or place of confinement)

- 2) Defendant CITY OF SOCORRO is a citizen of
(Name of first defendant)
- Socorro, N.M. 87801, and is employed as
(City, State) (Position and title, if any)
- At the time the claim(s) alleged in this complaint arose, was this defendant acting under color of state law?
- Yes ☐ No ☐ If your answer is "Yes", briefly explain:

- 3) Defendant _____ is a citizen of _____
(Name of second defendant)
_____, and is employed as _____
(City, State)
_____. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of state.
Yes ☐ No ☐ If your answer is "Yes", briefly explain:

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

WRONGFULLY TERMINATION

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.

A)(1) Count I: *INCIDENT # 3 WAS NOT MY FAULT. I TOLD MY SUPERVISOR ABOUT THE TRAILER HITCH. THE DIRECTOR SUPERVISOR MIKE LUCERO WENT TO CITY OF SOCORRO SAFETY MANUAL & TERMINATED ME. NEGLIGENCE & MISCONDUCT.*

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

B)(1) Count II:

(2) Supporting Facts:

C)(1) Count III:

- (2) Supporting Facts: *I WORK FOR THE CITY OF SACORRO, FOR TWENTY FOUR YEARS & TWO MONTHS. & I AM 70 YEARS OLD. I SHOULDN'T OF GOTTEN THIS KIND OF TREATMENT FROM HIM THIS IS DISCRIMINATION ON HIM*

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?
 Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit.

Plaintiffs: BENNY M. ALVAREZ
 Defendants: CITY OF SACORRO

b) Name of court and docket number:

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

d) Issues raised: _____

e) Approximate date of filing lawsuit: _____

f) Approximate date of disposition: _____

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☐ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

Signature of Attorney (if any)

Bong M. Amador
Signature of Petitioner

Attorney's full address and telephone number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at _____ on _____ 20____.
(Location) (Date)

(Signature)